

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

JANUARY 21, 2015

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

REGULAR& CLOSED SESSION MEETINGS– 6:00 P.M.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the meeting to order at 6:02 p.m.

ROLL CALL BY CITY CLERK

| | |
|-------------------------|--|
| Councilmembers present: | Spriggs (arrived at 6:04 p.m.), Bragg, Patton |
| Councilmembers absent: | None |
| Mayor present: | Dedina |
| Mayor Pro Tem absent: | Bilbray |
| Staff present: | City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Wade, Senior Planner Foltz, Public Works Director Levien, Administrative Services Director Bradley, Public Safety Director Clark |

PLEDGE OF ALLEGIANCE

Members of the Imperial Beach Little League and Imperial Beach Girls Softball led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY PATTON, TO PULL ITEM NOS. 2.6 AND 2.7 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:

| | |
|----------------|---|
| AYES: | COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA |
| NOES: | COUNCILMEMBERS: NONE |
| ABSENT: | COUNCILMEMBERS: BILBRAY |

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

Councilmember Patton announced MTS is putting Internet service on some of their buses.

Councilmember Bragg reported she and Mayor Dedina attended a newly elected official's conference in Sacramento. She also stated that the swearing in ceremony for Port Chairman Dan Malcom was held at Sea 180 on January 13, 2015. She announced that Supervisor Greg Cox will be the speaker at the Chamber Breakfast on Thursday, January 22, 2015. She also stated that MTS will launch the Blue Line low floor trolley cars on January 27, 2015.

Councilmember Spriggs commented on his new assignment on the League of California Cities Executive Committee. The first meeting was Monday January 12, 2015 and he was elected to serve on the League's Human Resources Policy Committee. Last week he attended the public workshop on the Palm Ave Master Plan and congratulated Assistant City Manager Wade on a job well done. The meeting was very informative, well attended and there was a lot of input

from the community. He had nothing to report on the Metropolitan Wastewater Commission because a meeting was not held this month.

Mayor Dedina announced the Kiwanis Club is celebrating its 100th Birthday. He thanked local members for all they do for the community. He also stated that Chris Helmer has done a great job on the Tijuana River Valley Project. He reported on his attendance at the newly elected official's conference in Sacramento.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

Mayor Dedina stated that City Council welcomes public comment but because of the Brown Act, City Council cannot respond to items not listed on the agenda. Issues requiring a response will be referred to the City Manager.

Gwendolyn Albert expressed concern about a lack of homeless shelters in Imperial Beach. She suggested that the City obtain homelessness information from the national conference that will be held in San Diego on February 18th through the 20th. She encouraged City Council to be proactive on the issue.

June Engel, Branch Manager, Imperial Beach Library, stated that in February they will be fully staffed for the first time in 3 years. She announced that ESL Café will be launched soon, the final designs for the new library will be available next week, she thanked Tim O'Neal and Candy Unger for their roles as Santa and Mrs. Clause, she announced 2015 is the I.B. Branch's centennial year and a commemorative event will be held in October and she showed a proclamation from their 7th Anniversary.

Ed Kravitz spoke in support for the Coronado Beltline. He expressed concern about gridlock on SR 75 with the planned development at Bernardo Shores and spoke of the need for other transportation options. He asked Councilmember Bragg to get involved since she is the representative on MTS and he asked City Council to take another look at it.

Sybil Rogert expressed concern about drainage problems at the Palm and 9th development site.

Felicia House expressed concern about the safety of our community and asked City Council to consider installing cameras in different areas in order to catch perpetrators.

Agustin Rojas expressed concerns about safety and the removal of street parking as a result of the roundabout on 9th Street. He asked City Council to consider taking another look at the roundabout.

City Manager Hall stated that questions about the 9th and Palm project can be addressed by the Community Development Department. They have plans and documents regarding drainage.

Councilmember Spriggs questioned if data regarding the roundabout is being collected systematically.

City Manager Hall responded that the City is compiling accident data prior to and following the installation of the roundabout. The City has also been accepting comments at the City Manager/City Clerk's office. An update on the roundabout will be given in March.

PRESENTATIONS (1.1)

1.1 DONATION OF PROCEEDS FROM THE ENDLESS SUMMER CLASSIC CAR SHOW BY SOUTH BAY CRUISERS CAR CLUB TO IMPERIAL BEACH BOYS AND GIRLS CLUB. (0130-08)

Vince Jacket, President of the South Bay Cruisers, presented checks totaling \$2,795.00 to the Imperial Beach Boys and Girls Club.

CONSENT CALENDAR (2.1-2.5)

Cheryl Quinones expressed opposition to the removal of trees by the City and she spoke in support for an ordinance to plant trees at each home and in the public right of way.

City Manager Hall stated the City was approached by the neighbors of Sports Park because their property has been damaged due to falling trees and branches. They have agreed to remove the trees and the City will replace them, making the area safer for everyone.

Councilmember Spriggs stated that the trees should be preserved as much as possible and replaced if necessary. He also noted that public safety needs come first and foremost.

MOTION BY BRAGG, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.5.

Discussion:

With regard to Item No. 2.4, Councilmember Spriggs stated that while it is appropriate to have it as a Consent item, the subject of what's going on with the Tijuana River Valley Recovery Strategy is immense and directly relevant to the City, eco-tourism and jobs in the community. He asked the City Manager to have a more detailed report so everyone can see how important the City's role is with the different agencies in the Tijuana River Valley Project.

A VOTE WAS NOW TAKEN ON THE ORIGINAL MOTION BY BRAGG, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.5. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

2.1 MINUTES.

Approved the Regular City Council Meeting Minutes of December 3, 2014.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 85715 through 85948 with a subtotal amount of \$1,330,961.76 and Payroll Checks/Direct Deposits 46317 through 46398 for a subtotal amount of \$510,933.00 for a total amount of \$1,841,894.76.

2.3 APPROVAL OF PURCHASE OF TELECOMMUNICATIONS SERVICE, PHONES AND INSTALLATION OF CABLING FROM VERIZON. (1100-05)

Approved the purchase of telecommunications service, phones and installation of cabling from Verizon using funds from the adopted FY 2015 budget.

2.4 RESOLUTION NO. 2015-7540 AUTHORIZING THE CITY MANAGER TO SIGN A SECOND COMMITMENT LETTER TO THE 2012 RECOVERY STRATEGY FOR THE TIJUANA RIVER VALLEY. (0770-87)

Received report and adopted resolution.

2.5 APPROVAL OF RECOMMENDATION TO REMOVE UP TO 15 MATURE TREES FROM SPORTS PARK.(0920-40)

1. Received report;
2. Directed staff to permit Mariner's Point to remove the seven trees shown in attachment 1 of the staff report following the signing of a hold harmless agreement between the parties;
3. Directed staff to revisit the Sports Park plan for removal and replacement of the park trees in the next budget cycle; and
4. Present the revisited plan to City Council as part of the FY 2015/16 and FY 2016/2017 budget cycle.

ORDINANCES – INTRODUCTION/FIRST READING(3.1)

3.1 ORDINANCE 2015-1149 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 10.36.025 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE PROHIBITION OF USE OF STREETS FOR HABITATION. (0920-95)

City Manager Hall reported on the item and he clarified what is considered living in a vehicle.

City Clerk Hald read the title of Ordinance 2014-1149 "An Ordinance of the City Council of the City of Imperial Beach, California amending Section 10.36.025 of the Imperial Beach Municipal Code related to the Prohibition of use of Streets for Habitation."

MOTION BY PATTON , SECOND BY BRAGG, TO INTRODUCE ORDINANCE NO. 2014-1148 BY TITLE ONLY, WAIVE FULL READING OF THE ORDINANCE WHICH AMENDS VARIOUS SECTIONS OF TITLE 2 OF THE IBMC AND SCHEDULE THE SECOND READING AND ADOPTION OF THE ORDINANCE ON FEBRUARY 4, 2015. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

PUBLIC HEARINGS (4.1)

4.1 IMPERIAL BEACH RESORT, LLC (OWNER); REGULAR COASTAL PERMIT (CP 140044) TO DEMOLISH 29 EXISTING RESIDENTIAL DWELLING UNITS (2 UNITS TO REMAIN) AND OTHER EXISTING IMPROVEMENTS AT 1046 SEACOAST DRIVE (APN 625-380-27-00) IN THE C/MU-2 (SEACOAST COMMERCIAL & MIXED-USE) AND SEACOAST COMMERCIAL MIXED-USE/RESIDENTIAL OVERLAY ZONES. MF 1166; RESOLUTION 2015-7544. (0600-20)

Mayor Dedina declared the public hearing open.

Senior Planner Foltz gave a PowerPoint presentation on the item.

In response to Councilmember Spriggs' question about the project timeline, Kenneth C. Knudson, with Imperial Beach Resort LLC, stated that the project will take a few years. The challenge is the interactive design process then having to get City and Coastal Commission approval. He stated that there is a daily need to have an on-site presence as well as a secured site. He noted that demolition can be under contract within 30 days of conditions issued and demolition can take 60 to 90 days.

City Council discussion ensued. Staff was commended for preparing a thorough report. Concern was raised regarding the ability to remove graffiti on the ivy fencing and there was support for completing the demolition before the summer months.

Mayor Dedina thanked everyone for their efforts and he noted that the Pier South project turned out well. Without dissension from the City Council, he closed the public hearing.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2015-7544 APPROVING REGULAR COASTAL PERMIT (CP 140044) WHICH MAKES THE NECESSARY FINDINGS FOR DEMOLITION OF 29 RESIDENTIAL UNITS (5 BUILDINGS) AND OTHER IMPROVEMENTS AT 1046 SEACOAST DRIVE AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

REPORTS (5.1-5.4)

5.1 DISCUSSION RE: 1300 BLOCK ELM AVENUE AS UTILITY UNDERGROUND DISTRICT. (0810-90)

Public Works Director Levien gave a report on the item. He stated that if City Council had a motion to proceed, he will return to City Council with a public hearing showing the district area at a future date.

No speaker slips were submitted.

Discussion regarding funding and SDG&E's undergrounding process ensued.

CONSENSUS OF CITY COUNCIL TO SUPPORT STAFF'S RECOMMENDATION TO FORM A DISTRICT COINCIDENT WITH THE CITY OF SAN DIEGO PROJECT ON ELM AVENUE.

5.2 RESOLUTION NO. 2015-7541 TO CONSIDER AN ACTIVE TRANSPORTATION PROGRAM (ATP): SAFE ROUTES TO SCHOOL PROJECT ON 900 TO 1100 BLOCKS OF FERN AVENUE AND TO APPROPRIATE \$15,000 FROM GAS TAX RESERVE FUND TO DEVELOP THE PROJECT SCOPE OF WORK AND GRANT APPLICATION. (0390-84 & 0810-90)

Public Works Director Levien gave a PowerPoint presentation on the item. In response to City Council's questions, he stated that installation of the G curb reduces the opportunity for people to drive up on the sidewalk, gives better drainage, and provides a more defined walkable area for a sidewalk. He also reviewed the funding for the project.

City Council expressed support for the project.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7541 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH TO CONSIDER AN ACTIVE TRANSPORTATION PROGRAM (ATP): SAFE ROUTES TO SCHOOL PROJECT ON 900 TO 1100 BLOCKS OF FERN AVENUE AND TO APPROPRIATE \$15,000 FROM GAS TAX RESERVE FUND TO DEVELOP THE PROJECT SCOPE OF WORK AND GRANT APPLICATION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

5.3 FISCAL YEAR 2014 AUDIT UPDATE. (0720-50)

Administrative Services Director Bradley presented a PowerPoint presentation. In response to questions by City Council, he explained what was meant by "material weakness" and talked about the corrective actions taken. He also discussed the City's history with the auditor, the rotation of the team of auditors and the associated cost for the contract.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO RECEIVE THE FISCAL YEAR 2014 FINANCIAL AUDIT AND RELATED DOCUMENTS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

5.4 STATUS UPDATE ON PROJECTS CONTAINED IN THE TWO YEAR IMPLEMENTATION STRATEGY PORTION OF THE IMPERIAL BEACH CAPITAL IMPROVEMENTS PROGRAM.(0330-35)

City Manager Hall presented a PowerPoint presentation on the item.

Councilmember Bragg had positive comments about the report. She expressed concern about the non-use of crosswalks and the need to encourage people to use them. With regard to the Old Palm Avenue improvements, she asked staff to trim the vines growing on the surfboards. She was in support for the installation of street lights and for a park in partnership with the schools.

Councilmember Spriggs had positive comments about the report.

In response to Councilmember Patton's concern about some of the surfboards along Palm Ave., Public Works Director Levien explained that one of the vine varieties is not growing as well as the other and the intent is to continuously train and trim the vines.

Mayor Dedina thanked City Council for their leadership on City issues. He spoke of the need to invest in parks on the north side of the City as well as the southeast side of the City. He also supported crosswalk improvements on 13th Street.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.6-2.7)

2.6 ADOPTION OF RESOLUTION 2015-7542 AUTHORIZING THE CITY MANAGER TO ENTER IN TO AN AGREEMENT WITH PYRO SPECTACULAR, INC. FOR PRODUCTION OF A 4TH OF JULY FIREWORKS DISPLAY. (1040-40)

Public Safety Director Clark reported on the item and stated that Tim O'Neal and Candy Unger raised more than \$25,000 for last year's 4th of July Fireworks show. The biggest question is whether the City wants to be part of the Big Bay Boom event or not. Some concerns are the cost, obtaining permits, and new management at the Tin Fish. He provided a PowerPoint presentation on the item.

Tim O'Neal, along with Candy Unger, stated it was a community effort and they could not have done it without the support from staff. He announced the upcoming I Love Wine and Chocolate fundraising event is on February 8, 2015.

Councilmember Spriggs spoke about the cooperative efforts it took to bring this event back and he supported approval of the item. He suggested starting fundraising efforts earlier this year and commented that it is a lot of pressure to put the City's iconic events on the shoulders of citizen volunteers. He proposed more support by the City and others. He expressed appreciation to Chief Clark for doing a great job on this event.

Public Safety Director Clark commented on his plans for fundraising for this year's event including the use of a donation form.

Councilmember Bragg thanked Chief Clark for his report and suggested that the donation form be distributed all over town and placed on the City's website with the ability to pay by PayPal.

Councilmember Patton spoke of Ms. Unger's dedicated efforts to raise money for last year's event.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7542 AUTHORIZING THE CITY MANAGER TO ENTER IN TO AN AGREEMENT WITH PYRO SPECTACULAR, INC. FOR PRODUCTION OF A 4TH OF JULY FIREWORKS DISPLAY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

2.7 RESOLUTION NO. 2015-7543 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR FINANCIAL ASSISTANCE AND OTHER MATTERS ASSOCIATED WITH THE SYMPHONY BY THE SEA EVENT. (1040-40)

Jim Mickelson, Boardmember with the I.B. Chamber of Commerce, spoke in support for finding funds for the firework show. He also spoke in support of the Symphony by the Sea event and he announced that the Taste of IB event will be held on the same day. He spoke in favor of adopting the resolution.

Councilmember Bragg congratulated the Chamber of Commerce for collaborating with the City on this event. She stated the City is experiencing a renaissance and it can be seen by the projects they've put together. She announced that for the first time a symphony from SDSU will be performing in I.B. and congratulated City Clerk Hald for putting the event together.

Mayor Dedina suggested the Marine Jazz Band for future events.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2015-7543 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT FOR FINANCIAL ASSISTANCE AND OTHER MATTERS ASSOCIATED WITH THE SYMPHONY BY THE SEA EVENT. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular meeting at 9:00 p.m.

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 9:01p.m.

ROLL CALL BY CITY CLERK

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|-------------------------|--|
| Councilmembers present: | Spriggs, Bragg, Patton |
| Councilmembers absent: | None |
| Mayor Present: | Dedina |
| Mayor Pro Tem absent: | Bilbray |
| Staff Present: | City Manager Hall, City Attorney Lyon, City Clerk Hald |

CLOSED SESSION

MOTION BY PATTON, SECOND BY BRAGG, TO ADJOURN CLOSED SESSION UNDER:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation pursuant to Govt. Code section 54956.9 (d)(4)

2. CONFERENCE WITH LABOR NEGOTIATORS

City Representatives: City Manager, City Attorney, Assistant City Manager, Human Resources Manager

Employee Organization: Service Employees International Union, Local 221

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, SPRIGGS, BRAGG, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BILBRAY

Mayor Dedina adjourned the meeting into Closed Session at 9:02 p.m. and he reconvened the meeting to Open Session at 9:42 p.m.

Reporting out of Closed Session, City Attorney Lyon announced City Council discussed Closed Session Item Nos. 1 and 2, City Council gave direction and no reportable action was taken.

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 9:43 p.m.

_____/s/
Serge Dedina
Mayor

_____/s/
Jacqueline M. Hald, MMC
City Clerk